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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,685	03/25/2002	David Horne	DYOUP218US	7427

7590 03/31/2003

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EXAMINER

RODGERS, MATTHEW E

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/889,685

Applicant(s)

HORNE

Examiner

Matthew E. Rodgers

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,588,182 to Brownlie et al (hereinafter "Brownlie") in view of German Patent No. 3605434 A1 to Tölle (hereinafter "Tölle"). Brownlie shows a hinge connection having a hinge arm (12), a hinge pin (122), and a hinge recess (37) including a hole (132) for receiving the hinge pin (122) and a corner (marked "C" in attached Figure 5) formed by the two walls of the recess. The hinge arm (12) has a spacing member (marked "S" in red in attached Figure 5) which protrudes radially beyond the hinge pin and is seated in the corner in a first position, but spaced from the corner in a second position when tabs (128) enter slots (136). The spacer member (S) has a cylindrically curved surface. The pin (122) and spacer member (S) are integrally formed and rotatably mounted to the hinge arm (12) and the spacer member (S) is contiguous with the hinge pin. The corner is a groove defined by the meeting guide surfaces of the recess (37). The recess includes end surfaces at the top and bottom of the recess (37) as shown in Figure 5 where the hinge hole is disposed in an end surface at the end of the groove. The guide surfaces are planar and orthogonal and the end surface is orthogonal to the guide surfaces. The hinge is formed on an

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electrical cabinet (2) for electronic and electrical components having a frame member (34) including the recess (37) and a removable door panel (10) including the hinge arm.

However, Brownlie does not explicitly show a chamfer on the end of the hinge pin or a spacer member having a circumferential surface forming a complete cylinder. Brownlie also shows that the recess is disposed on the frame member of the cabinet where the hinge arm is on the removable door panel.

Tölle teaches that it is old and well known in the art to provide a spacer member (3) that spaces a chamfered hinge pin (20) from a corner edge where the spacer member has a completely cylindrical circumferential. As is well known in the art, Tölle provides the chamfer on the hinge pin to ease in guiding the hinge pin into the hinge hole (19). The cylindrical spacer member (3) is connected only at the ends thereof and therefore reduces the material used to manufacture the hinge and therefore reduces manufacturing costs.

Brownlie in view of Tölle shows that the recess (37) is disposed on the frame member of the cabinet where the hinge arm (12) is on the removable door panel. However, it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to make the hinge of Brownlie using a hinge pin having a chamfered end and a cylindrically shaped spacer member where material is removed from the central part of the hinge arm (12) between the pins (122, 124) for ease of inserting hinge pine and to save material and manufacturing costs as taught by Tölle, and with the recess positioned on the removable door and the hinge arm on the cabinet frame member.

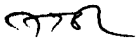
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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Rodgers whose telephone number is (703) 306-3406. The examiner can normally be reached on regular work hours.

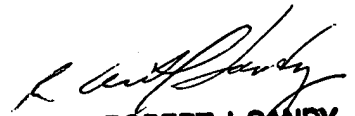
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.



MR

March 23, 2003



**ROBERT J. SANDY  
PRIMARY EXAMINER**

